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May 18, 2021

Via ECF

Honorable Colleen McMahon, U.S.D.J.
Daniel Patrick Moynihan
United States Courthouse
500 Pearl Street – Courtroom 24A
New York, NY 10007-1312
(212) 805-6325

Re: *Brown v. NYC DOE, et al.*
Case Number: 1:20-cv-10948-CM

Dear Judge McMahon:

We represent the Plaintiff, Marina Brown, in the above-referenced action. We write today jointly with counsel for Defendants.

Specifically, we write to request -- pursuant to the Court Individual Practice Rule V.H -- that this matter be stayed. As the Court is now aware, due to Covid and the various timing restrictions concerning filings with the EEOC and against governmental entities, such as the Department of Education, there exist two actions by Ms. Brown against the DOE: the instant action (the "Federal Action") and an earlier action filed in the Supreme Court of the State of New York (the "State Action"). While both actions contain some causes of action that are based on over-lapping facts, the State Action includes additional parties, including the Principal of the relevant school, as well as, *inter alia*, causes of action based on New York City anti-discrimination laws which have different standards of scope and proof than similar claims under Title VII.

Given that the State Action was filed earlier and that the issues therein are broader and could have some dispositive effect on the claims before this Court – while the opposite is not true – and given Defendants' decision to file motions to dismiss in both proceedings, it is respectfully submitted that the interests of judicial economy and the parties' own interests would be served by the issuance of a stay in this action pending resolution of the State Action.

Wherefore, it is respectfully requested that this Court issue a stay in the instant action.

Respectfully submitted,



Ethan Leonard (EL2497)

Cc: Laura C. Williams (Via ECF and Electronic Mail on consent)